

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States District Court
Southern District of Texas
FILED

SEP 29 2015

David J. Bradley, Clerk

United States of America

v.

Manuel TAMEZ

U.S. Citizen YOB: 1986

See Attachment A

Case No. M-15-1671-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 09/29/2015 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

21 U.S.C. § 841

Knowingly and intentionally possess with intent to distribute approximately
10.72 kilograms of cocaine, a schedule II controlled substance

21 U.S.C. § 952

Knowingly and intentionally import with intent to distribute approximately
10.72 kilograms of cocaine a schedule II controlled substance

This criminal complaint is based on these facts:

See Attachment A

☒ Continued on the attached sheet.Approved by: Leo J. Leo, III
AUSA

Complainant's signature

Special Agent Ryan Browning, HSI

Printed name and title

Sworn to before me and signed in my presence.

Date:

September 29, 2015

8:41 am



Judge's signature

U.S. Magistrate Judge

Printed name and title

City and state:

McAllen, Texas

Attachment "A"

The information in this affidavit is provided for the limited purpose of establishing probable cause. The information is not a complete statement of all the facts related to this case.

On September 29, 2015, Manuel TAMEZ applied for entry into the U.S. from Mexico at the Anzalduas Port of Entry in Mission, Texas. TAMEZ was the driver and sole occupant of a Nissan Rogue.

A U.S. Customs and Border Protection Officer (CBPO) and his assigned narcotics detection dog (NDD) were inspecting vehicles in the primary inspection area. The NDD alerted to the odor of narcotics emitting from the Nissan Rogue driven by TAMEZ. CBPOs ordered TAMEZ to place his vehicle in park and exit the vehicle. TAMEZ disregarded the CBPOs orders, and resisted CBPOs who were attempting to remove him from the vehicle. TAMEZ placed the vehicle in drive and accelerated, trapping a CBPO inside the vehicle. TAMEZ crashed into a parked vehicle and concrete table before coming to a stop in the inspection area with the CBPO in the vehicle. An inspection of the vehicle resulted in the discovery of 10 tape wrapped packages concealed inside. The 10 packages were found to contain approximately 10.72 kilograms of a white powdery substance that field-tested positive for the properties of cocaine.

TAMEZ was interviewed by an HSI Special Agent following the incident. TAMEZ was read his Miranda rights from a preprinted form. TAMEZ stated he understood his rights and agreed to an interview without an attorney present. During the interview TAMEZ stated he did know he was transporting an illegal narcotic. TAMEZ stated he placed the vehicle in drive and attempted to flee because he didn't know what else to do. TAMEZ claimed the men who organized the smuggling attempt threatened his family. TAMEZ stated \$1,000 in cash was left in the vehicle for him when he picked it up in Mexico, and he expected to be paid an additional \$3,000 once he successfully delivered the narcotics laden vehicle.

The Assistant United States Attorney's Office in McAllen, Texas was briefed regarding the aforementioned facts and federal prosecution was accepted.